

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**KEITH POLK and  
DONALD LAUSHMAN,**

**Defendants.**

**8:07CR304**

## ORDER

This matter is before the court on the motion to continue by defendant Donald Laushman (Laushman) (Filing No. 29). Laushman seeks a continuance of the trial of this matter which is scheduled for November 6, 2007. Laushman's counsel represents that government's counsel has no objection to the motion. Laushman's counsel represents that Laushman consents to the motion and will file an affidavit wherein Laushman acknowledges and understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Upon consideration, the motion will be granted and trial will be continued as to both defendants.

**IT IS ORDERED:**

1. Laushman's motion to continue trial (Filing No. 29) is granted.
2. Trial of this matter is re-scheduled for **December 18, 2007**, before Judge Laurie Smith Camp and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **October 24, 2007 and December 18, 2007**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendants' counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 24th day of October, 2007.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge